

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
SEC Northland Road and
Gwynlake Drive
1 Northland Road
2nd Election District
2nd Councilmanic District
Carol P. Jones
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-258-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Carol P. Jones for that property known as 1 Northland Road in the Gwynlake Park subdivision of Baltimore County. The Petitioner herein seeks a variance from Section 427.A.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 6 ft. fence in the rear yard with a 0 ft. setback (to an adjacent side yard), in lieu of the minimum required 30 ft., as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of March, 1993 that the Petition for a Zoning Variance from Section 427.A.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 6 ft. fence in the rear yard with a 0 ft. setback in lieu of the minimum required 30 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall comply with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), specifically with that correspondence from Developers Engineering Division dated February 22, 1993 as it relates to construction of the proposed fence.

LES:mmn

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
Date 3/15/93
By *Carol P. Jones*

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 12, 1993

Ms. Carol P. Jones
1 Northland Road
Baltimore, Maryland 21207

RE: Petition for Administrative Zoning Variance
Case No. 93-258-A
1 Northland Road

Dear Ms. Jones:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1 NORTHLAND ROAD
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property, hereby petition for a Variance from Section(s) 427.A.B.

To allow a 6' fence in the rear yard with a 0' setback (to an adjacent side yard) in lieu of the minimum required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)
(1) FENCE FOR PRIVACY FROM WELL TRAVELLED STREET
(2) TO ALLOW FOR DOGS AND CAT (OWNERS) TO USE BACKYARD
(3) SAFETY FROM POSSIBLE ENTRANCE TO BACK YARD

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly swear and affirm, under the penalties of perjury, that the facts stated herein are true and correct to the best of our knowledge and belief.)

Legal Owner(s)
Carol P. Jones
(Type or Print Name)

Signature
Carol P. Jones

(Type or Print Name)

Address
1 NORTHLAND ROAD

City
BALTIMORE

State
MD

Zip Code
21207

Name, Address and phone number of representative to be contacted
BALTIMORE MD 21207

City
BALTIMORE

State
MD

Zip Code
21207

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, or referred by the Zoning Regulations of Baltimore County, to the Zoning Board of Appeals, for consideration, throughout Baltimore County, and that the property be posted.

Reviewed by: *[Signature]* Date: 3-13-93
Estimated Posting Date: 2-22-93

ITEM #: 220

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at
1 NORTHLAND RD.
BALTIMORE MD 21207

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty.)

(1) Fence for privacy from well-traveled street

(2) To allow for dogs and cat (owners) to use backyard.

(3) Safety from possible entrance to back door

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Carol P. Jones
CAROL P. JONES
(Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28th day of January, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Carol P. Jones

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Mary E. Meyers
January 28, 1993

My Commission Expires April 9, 1996

MARY E. MEYERS
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 9, 1996

ZONING DESCRIPTION

93-258-A

ZONING DESCRIPTION FOR 1 NORTHLAND ROAD, BALTIMORE, MD. 21207.

BEGINNING AT THE POINT OF THE SE INTERSECTION AT THE EDGE OF THE RIGHT OF WAYS OF NORTHLAND ROAD (FRONT) AND GWYNN LAKE DRIVE (SIDE) BEING LOT # 102 IN THE SUBDIVISION OF GWYNN LAKE PARK AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 12; FOLIO # III, CONTAINING 7800 SQUARE FEET. ALSO KNOWN AS 1 NORTHLAND ROAD AND LOCATED IN THE 2ND ELECTION DISTRICT.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 93-258-A
Towson, Maryland

District: 2nd Date of Posting: 2/17/93

Posted for: Variance

Petitioner: Carol P. Jones

Location of property: SE Corner Northland & Gwynn Lake Dr.

Location of Signs: Posting in house on property of Petitioner

Remarks:

Posted by: M. H. G. Date of return: 2/18/93

Number of Signs: 1

Baltimore County
Zoning Administration & Development Management
121 West Chesapeake Avenue
Towson, Maryland 21204

93-258-A

Account: R-001-6150

receipt

Date

RECEIVED

RECEIVED

RECEIVED

RECEIVED

RECEIVED

RECEIVED

RECEIVED

RECEIVED

RECEIVED

Cashier Validation

Please Make Checks Payable To: Baltimore County

\$65.00

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



March 3, 1993

(410) 887-3353

Ms. Carol P. Jones
1 Northland Road
Baltimore, MD 21207

RE: Case No. 93-258-A, Item No. 270
Petitioner: Carol P. Jones
Petition for Administrative Variance

Dear Ms. Jones:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on February 3, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrative

2-12-93

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. * 270 (JJS)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Typewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: February 18, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 265, 270, 271, 272, 273, 274, 277, and 278.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey Long

Division Chief: Pat Keller

PK/JL:lw

265.ZAC/ZAC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: Feb. 18, 1993

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: Feb. 16, 1993

There are no comments on item numbers 265, 266, 269,
270, 271, 272, 273, 274, 277 and 278.

Rahee J. Famili
Traffic Engineer II

RJF/lvd

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21206-5500

FEBRUARY 19, 1993

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CAROL P. JONES

Location: #1 NORTHLAND ROAD

Item No.: *270 (JJS) Zoning Agenda: FEBRUARY 16, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: Capt. Jeffrey Long
Planning Group
Special Inspection Division

JF/KEY

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 22, 1993
Zoning Administration and Development Management

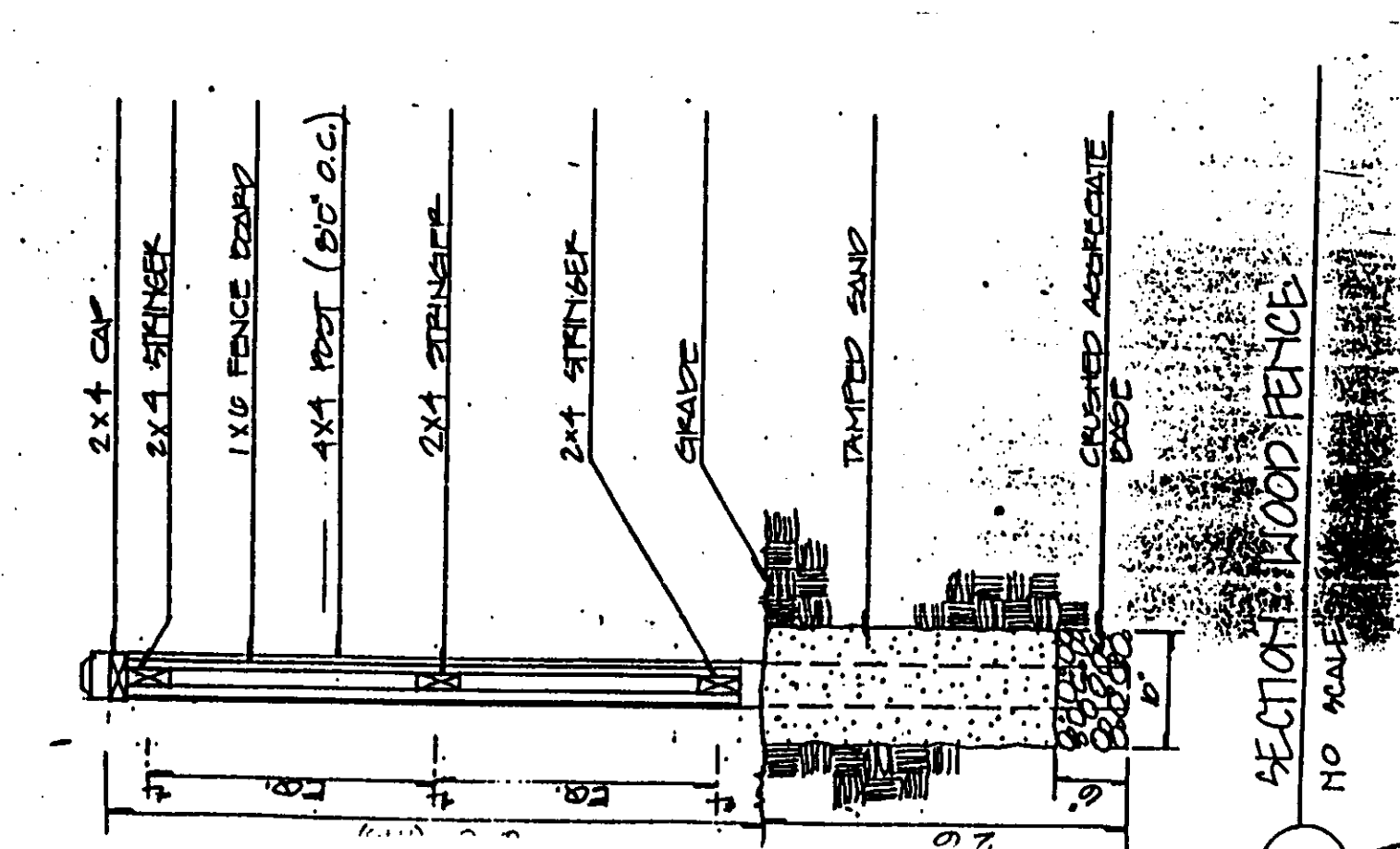
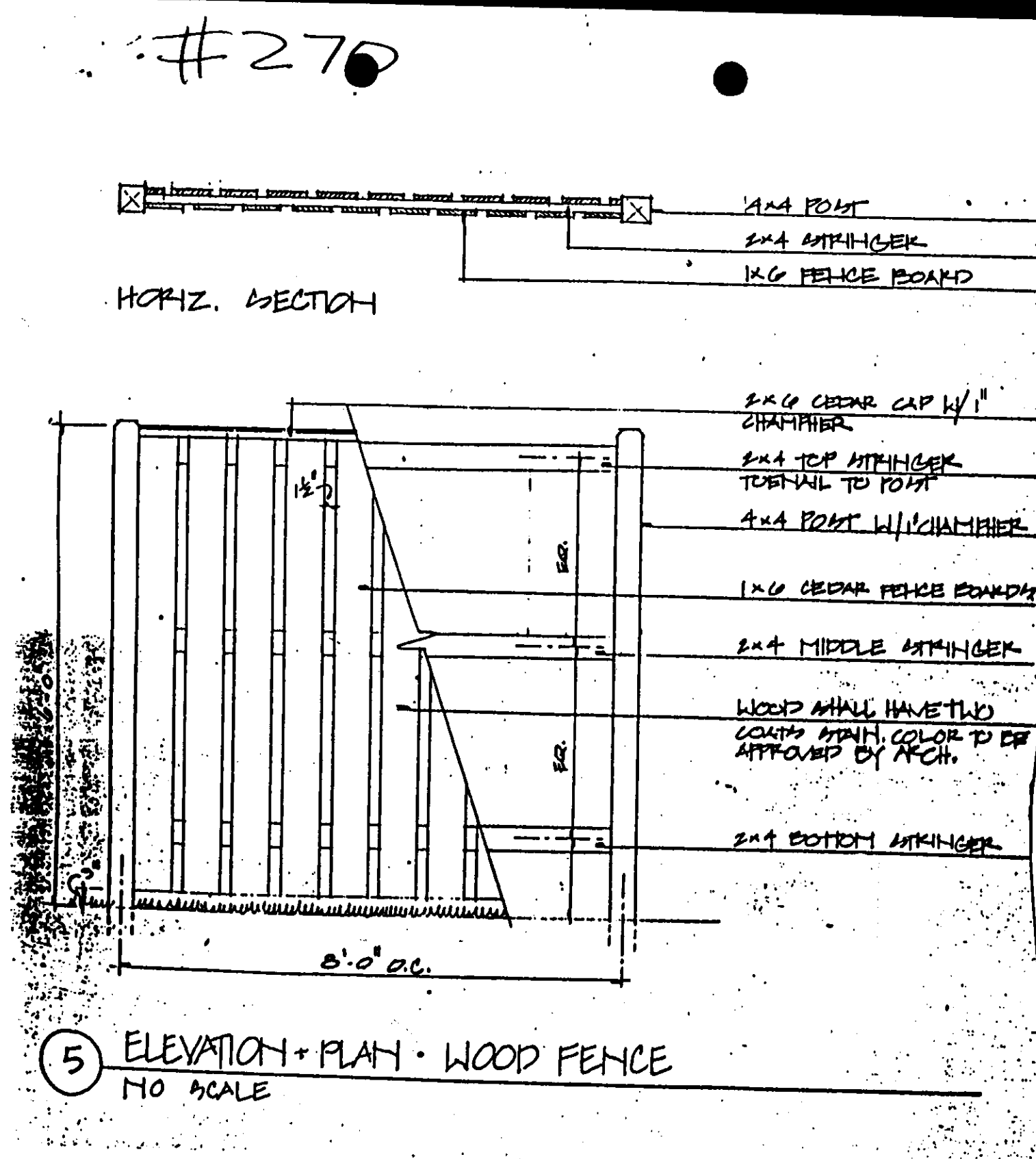
FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Division

RE: Zoning Advisory Committee Meeting
for February 22, 1993
Item No. 270

The Developers Engineering Division has reviewed the subject zoning item. We recommend using the attached specification for the proposed fence.

RWB:DAK:s

Encl.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

FEBRUARY 10, 1993

(410) 887-3353

Carol P. Jones
1 Northland Road
Baltimore, Maryland 21207

Re: CASE NUMBER: 93-258-1 (Item 270)
500 Northland Road and Gaymans Drive
1 Northland Road
2nd Election District - 2nd Councilmanic
Petitioner(s): Carol P. Jones

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before February 21, 1993. The closing date (March 8, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Arnold Jablon
Director

Printed on Recycled Paper

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1 NORTHLAND ROAD see pages 2 & 3 of the CHECKLIST for additional required information

Subdivision name: Gwynnlake Park Revised Plat # 3 of
 plat books 12 Volume III June 1982 Section 10 PART OF Gwynnlake Park

OWNER: CAROL P. JONES

Lot No. 1

LOT 103 LOUISE MCGEEHAN
 OWNER: 20 Gwynnlake Drive

LOT 102 CAROL P. JONES
 OWNER: 1 NORTHLAND ROAD

LOT 101 LORETTA RAY
 OWNER: 3 NORTHLAND ROAD

EXISTING DWELLING #1

EXISTING DWELLING #2

PROPOSED DWELLING

Scale of Drawing: 1"=50'

North
 date: 1/29/89
 prepared by: CPJ

93-258-A

LOCATION INFORMATION

Councilmanic District: 2
 Election District: 2
 1"-200' scale map: NW 3E
 Zoning: DR 5.5
 Lot size: 0.179 7800
 acreage square feet

SEWER: ☒ ☐
 WATER: ☒ ☐
 Chesapeake Bay Critical Area: ☐ ☐
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
 reviewed by: RA ITEM #: 270 CASE#:



93-258-A



K-SW
K-NW NW 3-E

1988 COMPREHEN
Adopted by the Balti
Oct 1
Bill Nos. 144-88, 145-88, 146-88

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

Chairman, ©

93-258-A

#270

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

GWYNN OAK
WOODLAWN

11
12

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401